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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Steven J. Moore et al.

Serial No.:

09/363,001

Filed:

July 28, 1999

Group No.:

2153

Examiner:

Moustafa M. Meky

For:

NETWORK PERFORMANCE MONITORING

RECEIVED

OCT 18 2002

Technology Center 2100

Honorable Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed July 24, 2002, Applicants respectfully request withdrawal of the request for interference. Applicants respectfully note that the Examiner may invoke an interference pursuant to MPEP § 2306.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees due or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

ATTORNEY DOCK NO.
063170.2395

PATENT APPLICATION
09/363,001



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Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants

David M. Doyle
Reg. No. 43,596

Date: 10/14/02

Correspondence Address:

Customer Number or Bar Code Label

